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PRESS RELEASE

**Federal and State Authorities File Criminal Charges Against 98
Defendants in Security Sweeps at JFK and LaGuardia
Airports; 20 Others Sought for Immigration Violations**

ROSLYNN R. MAUSKOPF, United States Attorney for the Eastern District of
New York, **RICHARD A. BROWN**, Queens County District Attorney, **KEVIN P.**

DONOVAN, Assistant Director-in-Charge, New York Field Office, Federal Bureau of

Investigation, **EDWARD J. RYAN**, Regional Inspector General, Social Security Administration, **NED SCHWARTZ**, Special Agent-in-Charge, United States Department of Transportation, Office of Inspector General, **JOSEPH R. WEBBER**, Special Agent-in-Charge, New York Office, United States Customs Service, **EDWARD J. McELROY**, District Director, New York District, Immigration and Naturalization Service, **ROBERT CARON**, Deputy Chief, Port Authority of New York and New Jersey, Police Department, **JAMES McMAHON**, Superintendent, New York State Police, and **STEVEN H. CAREY**, Special Agent-in-Charge, United States Secret Service, announced they are seeking the apprehension of 118 individuals as part of Operation Eye Sky, a nine-month multi-agency investigation into security at John F. Kennedy International Airport and LaGuardia Airport.

The investigation focused on the applications of persons who requested Security Identification Display Area badges, commonly known as SIDA badges, and applications for United States Customs Service seals. These badges and seals provide the holder with access to secure areas at JFK and LaGuardia airports. Those areas include aircraft parking and maintenance areas, the tarmac and ramp, cargo storage facilities, and passenger and baggage screening areas. Because of the nature of the access afforded to persons who possess SIDA badges, applicants were required to provide truthful information including their name, date of birth, social security number and whether they had been convicted of a “disqualifying crime,” as defined by federal regulation. Similarly, applicants seeking to obtain a United States Customs Service Seal were also required to accurately identify their name, date of birth, social security number and whether they had been convicted of any crime.

In conducting the investigation, law enforcement officials reviewed these applications to determine if they contained materially false statements made by the applicants. Investigators discovered a number of false statements, including persons who failed to disclose convictions for armed robbery, assault with intent to commit physical injury, larceny, burglary, and a host of weapons and drug charges. Investigators also found instances of “identity theft,” including a male defendant who used the Social Security number of a woman born twenty years earlier in Puerto Rico, defendants who presented false Social Security cards bearing numbers never assigned to anyone by the agency, and a defendant born in 1976 who used the Social Security number of an eight-year-old child. The defendants charged held a variety of jobs at both JFK and LaGuardia airports including security guard, baggage handler, aircraft mechanic, fueler, aircraft cleaner, food service employee, ramp agent and customer service representative.

The New York-area investigation is one of the largest such operations in the country. As part of the investigation, participating law enforcement agencies examined approximately 40,000 applications. During the past year, similar operations have been conducted at airports in other cities, including Salt Lake City, Utah, Denver, Colorado, Los Angeles, California, Baltimore, Maryland, Washington D.C., and, most recently, in Newark, New Jersey, on November 14, 2002.

As a result of the investigation, the United States Attorney for the Eastern District of New York obtained warrants for the arrest of 63 defendants on federal charges. An additional 35 defendants were charged with violations of New York law in complaints obtained by the Queens County District Attorney. Twenty others are being sought by the Immigration and Naturalization Service on non-criminal immigration charges. In addition, during the course of

the investigation, 9 individuals were arrested as agents and investigators discovered pending warrants seeking their arrest on other charges. Many of the defendants arrested today are currently employed at JFK and LaGuardia airports.

The defendants against whom federal charges have been filed include 35 charged with violations of Title 18, United States Code, Section 1001, for failing to disclose prior convictions on their applications. Twenty-seven defendants are charged with violating Title 42, United States Code, Section 408, for fraudulently using invalid or improperly obtained Social Security numbers, including, in some cases, numbers that belonged to other persons thereby making it difficult to determine the true identity of some of those charged. One additional federal defendant is charged with illegal reentry after deportation, in violation of Title 8, United States Code, Section 1326. The Immigration and Naturalization Service will seek the deportation of 20 others from the country in non-criminal administrative proceedings. The defendants facing charges in Queens County include 35 individuals charged with filing a false instrument, in violation of New York Penal Law Section 175.35, in connection with their applications.

In announcing the arrests, United States Attorney **ROSLYNN R. MAUSKOPF** stated, “The arrests announced today are part of a nationwide, pro-active effort by the law enforcement community to strengthen security at our airports and ensure the safety of the traveling public. The goal of this initiative is to prevent airport employees who have concealed their true identities and criminal histories from gaining wide-ranging access to the most sensitive and secure areas of our airports. To ensure air travel safety, we are subjecting travelers to searches and other rigorous screening methods. Just as we would not allow a passenger to board

a flight with bogus identification, we will not tolerate airport employees who lie in connection with a vital step in our airport security procedures.” **Ms. MAUSKOPF** praised the coordinated efforts of the law enforcement agencies that participated in Operation Eye Sky, and thanked the United States Marshals Service, the United States Postal Inspection Service, the Transportation Safety Administration, and the New York State Office of Public Security for their assistance in the investigation.

Queens County District Attorney **RICHARD A. BROWN** stated, “Today’s arrests represent the culmination of a nine-month investigation by federal, state and local law enforcement agencies into the backgrounds of 40,000 individuals who work at JFK and LaGuardia airports and have access to restricted, high-security areas at those facilities. As a result of our joint investigation, the applications of 97 individuals who had been issued high-security area identification badges were found to have contained false information about criminal backgrounds, Social Security numbers and immigration status. By this investigation we have sent a clear message that airport safety and security is a top priority and have underscored the fact that when the members of the law enforcement community work together, we can produce significant results.”

FBI Assistant Director-in-Charge **KEVIN P. DONOVAN** stated, “Airport security badges and seals are quite literally the keys to the kingdom. In the wrong hands, the airports, the airlines and, most importantly, the air traveler become vulnerable to all the risks one can imagine when individuals with access to the most sensitive areas of our nation’s airports gained that access based upon lies and deception. Our citizens must have, and should have,

confidence in the ability of their government to prevent our airports from becoming a safe-haven for thieves, drug traffickers and terrorists.”

Inspector General, Social Security Administration, **JAMES G. HUSE, JR.**, stated, “Millions of Social Security numbers have been issued to non-citizens, some based on fraudulent documentation. This creates a possible homeland security risk. We will continue to intervene to ensure that no airport employee who has misrepresented his or her SSN and identity has access to secure areas of the nation’s airports.”

Transportation Department Special Agent-in-Charge **NED SCHWARTZ** stated, “Our audit and investigative activities over the years have shown that people who lie about their criminal records in order to obtain airport security clearances can pose a threat to public safety. We have investigated numerous cases of people who fraudulently obtained airport security badges so they could participate in illegal activities, such as drug smuggling or theft of checked luggage or air cargo. In addition, our audit work has shown that effective security requires that only trusted individuals are authorized access to secure areas.”

U. S. Customs Service Special Agent-in-Charge **JOSEPH R. WEBBER** stated, “Operation Eye Sky is another step in law enforcement’s efforts to ensure public safety and security at our nation’s borders. The United States Customs Service, along with the participating law enforcement agencies, remains vigilant in its mission to safeguard America.”

INS District Director **EDWARD McELROY** stated, “The INS congratulates all of the agents who worked this case to bring about these arrests. And I want to give special thanks to the INS Worksite Enforcement unit. In a post-9/11 environment, security is always a

critical issue. We will conduct investigations and identify immigration violations and criminal charges, and we will continue to bring these cases to prosecution.”

New York State Police Superintendent **JAMES McMAHON** stated, “The terrorist events of the recent past have taught us that law enforcement must be vigilant to protect the public from those who create a substantial risk to public security. A vital aspect of this vigilance is to maintain the safety and security of our airports. The integrity of employees who have access to sensitive and secure areas of our airports must be without question. The arrests today serve as an example of law enforcement working together to bring those to justice who have fraudulently obtained credentials to work in the sensitive and secure areas of the two largest airports in our state.”

United States Secret Service Special Agent-in-Charge **STEVEN CAREY** stated, “The United States Secret Service is a dedicated law enforcement partner in the airport communities. We are committed to supporting this initiative to safeguard the integrity of the airport identification process. This process is critical to the safety of the traveling public. The U.S. Secret Service has a vested interest in the overall safety of the airline industry, which is key to our ability to transport our protectees, and personnel, throughout the world.”

The maximum penalty for the misuse of a Social Security number or making a false statement on an airport security badge application is five years imprisonment, three years supervised release, a \$250,000 fine and a \$100 special assessment. The maximum penalty for illegally reentering the country after being deported for an aggravated felony is twenty years imprisonment, three years supervised release, a \$250,000 fine and a \$100 special assessment.

The defendants charged in Queens County face a maximum of four years imprisonment, a \$5,000 fine, a mandatory surcharge of \$200 and a \$10 Crime Victims Assistance fee.¹

The defendants arrested today on federal charges will have their preliminary appearances later this afternoon before a United States Magistrate Judge at the U. S. Courthouse, 225 Cadman Plaza East, Brooklyn, New York. The defendants arrested on state charges will be arraigned later this afternoon at the Queens County Courthouse, 125-01 Queens Boulevard, Kew Gardens, New York.

The federal criminal cases will be prosecuted by Assistant United States Attorneys Michael A. Asaro, John D. Buretta, Carrie N. Capwell, Lee Freedman, Alphonzo A. Grant, Taryn Merkl, Max Minzner and Michael Ramos. The Queens County criminal cases will be prosecuted by Assistant District Attorney Peri Kadanoff.

¹The charges contained in the complaints are merely allegations and the defendants are presumed innocent unless and until proven guilty.